

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:23-CV-00103-JRG-RSP

JURY TRIAL DEMANDED

**SAMSUNG'S OBJECTIONS TO THE MEMORANDUM ORDER
ON PLAINTIFF HEADWATER'S MOTION TO STRIKE CERTAIN OPINIONS OF
SAMSUNG'S DAMAGES EXPERT DR. M. RAY PERRYMAN, PH.D. (DKT. NO. 377)**

Magistrate Judge Payne’s memorandum order (Dkt. 377, the “Order”) correctly denied Plaintiff Headwater’s Motion to Strike Certain Opinions of Samsung’s Damages Expert Dr. M. Ray Perryman, Ph.D. (Dkt. 182) with respect to Headwater’s challenges to Dr. Perryman’s (1) alleged “patent counting,” and (2) discussion of other Samsung-Headwater litigations. Dkt. 377 at 3–4. However, the Order erred in striking Dr. Perryman’s non-infringing alternatives opinions that rely on Dr. Ian Foster’s non-infringing alternative opinions. *Id.* at 4–5. For the reasons set forth in Samsung’s Objections to the Memorandum Order Regarding Plaintiff Headwater Research LLC’s Motion to Exclude Certain Opinions of Samsung’s Expert, Ian Foster, Ph.D., and to the extent the Court declines to adopt Magistrate Judge Payne’s memorandum order regarding Dr. Foster’s non-infringing alternatives opinions (Dkt. 375), Samsung respectfully objects to and seeks *de novo* review with respect to the portion of the Order granting-in-part Plaintiff Headwater’s Motion to Strike Certain Opinions of Samsung’s Damages Expert Dr. M. Ray Perryman, Ph.D.

Dated: April 18, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on April 18, 2025. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

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